

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

KA YANG and YIA YANG,
And XAI YANG, a minor
through his Guardian ad Litem,
Daniel F. Schmeeckle,

Case No. 12-cv-797
Case Code: 30701

Plaintiffs,

v.

PORTAGE COUNTY,

Defendant.

STIPULATION AND ORDER FOR DISMISSAL

NOW COME Plaintiffs, Ka Yang, Yia Yang and Xai Yang, and Defendant Portage County, by their undersigned attorneys, and hereby stipulate to the dismissal of this case with prejudice based on the following terms:

1. Plaintiffs will pay to Portage County the amount of \$200.00 from the subject \$25,000.00 in settlement proceeds. This amount will be paid upon the filing of this fully executed Stipulation memorializing the agreement of the parties;
2. Portage County retains the right to recover additional amounts from Plaintiffs, resulting from any additional settlement proceeds from settlements with other insurers or judgment amounts paid to Plaintiffs. Assuming no change in applicable federal or Wisconsin law, the additional settlement proceeds will be apportioned based upon the manner in which the parties agreed to apportion the settlement proceeds in this case;

3. Portage County will pay to the Anderson O'Brien firm the amount of \$10,324.58 in attorneys' fees and costs and will forfeit any right to challenge the amount of requested fees and costs. This amount is conditioned on Plaintiffs' counsel not needing to provide significant further services to enforce Plaintiffs' rights on the present claim;
4. Portage County will waive its right to appeal the District Court's decision in this case; and
5. The parties agree to dismissal with prejudice of the pending case.

Based upon the Stipulation of the parties, this case is dismissed with prejudice.

Dated this 11th day of September, 2013.

AXLEY BRYNELSON, LLP

s/ Michael J. Modl

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